



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2006 REGULAR SESSION

SENATE BILL NO. 57

TUESDAY, JANUARY 31, 2006

The following bill was reported to the House from the Senate and ordered to be printed.

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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Soller

AN ACT relating to reorganization.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 Section 1. KRS 151B.025 is amended to read as follows:

- 2 (1) The Department for Technical Education is hereby created and shall be attached to
3 the Cabinet for Workforce Development. The department shall consist of a
4 commissioner and those administrative bodies and employees provided or
5 appointed pursuant to law.
- 6 (2) The chief executive officer of the department shall be the commissioner of the
7 Department for Technical Education. The commissioner shall be appointed to the
8 unclassified service by the secretary of the Cabinet for Workforce Development
9 with the approval of the Governor pursuant to KRS 12.050. The commissioner shall
10 have general supervision and direction over all functions of the department and its
11 employees, and shall be responsible for carrying out the programs and policies of
12 the department. The commissioner may delegate authority to deputies who may then
13 act on his or her behalf in performing the duties assigned in this subsection.
- 14 (3) The department shall have the responsibility for all administrative functions of the
15 state in relation to the management, control, and operation of state-operated
16 secondary area vocational education and technology centers. When appropriate, the
17 department shall provide education training programs through contracts with private
18 business and industries. These programs may be on a shared cost basis or on a total
19 cost recovery basis.
- 20 (4) The commissioner of the Department for Technical Education shall have the
21 authority to enter into agreements or contracts with other government or education
22 agencies, including local school districts, in order to carry out services under the
23 department's jurisdiction.
- 24 (5) Secondary area vocational education and technology centers shall be operated in
25 compliance with program standards established by the Kentucky Board of

1 Education. Principals, counselors, and teaching staff shall meet the qualifications
 2 and certification standards for all secondary vocational personnel as established by
 3 the Educational Professional Standards Board. In addition to direct appropriations,
 4 funds appropriated to support the cost of operating area vocational education and
 5 technology centers shall be transferred annually from the secondary funds
 6 administered by the Kentucky Department of Education for that purpose.

- 7 (6) The Department for Technical Education, in the operation and management of its
 8 schools and the programs at those schools, shall meet all required federal and state
 9 standards relating to facilities and personnel qualification; provided, however, that
 10 no license or license fee shall be required for any school or program operated by the
 11 Department for Technical Education.

- 12 (7) In accordance with 20 U.S.C. sec. 2302(9), the Kentucky Workforce Investment
 13 Board is hereby designated to be the "eligible agency" that is the sole state
 14 agency responsible for the administration of vocational and technical education
 15 and the supervision of the administration of vocational and technical
 16 education~~[The Department for Technical Education shall be the education agency~~
 17 ~~solely designated for the purpose of developing and approving state plans required~~
 18 ~~by state or federal laws and regulations as prerequisites to receiving federal funds~~
 19 ~~for vocational technical or technology education. The department shall involve~~
 20 ~~representatives from all eligible recipient categories in the development of the~~
 21 ~~required plans].~~

- 22 (8) Except for the duties that the Workforce Investment Board must retain pursuant
 23 to 20 U.S.C. sec. 2341, the Kentucky Workforce Investment Board shall be
 24 authorized to delegate all of the other duties and responsibilities of the eligible
 25 agency to the Department for Technical Education within the Education, Arts,
 26 and Humanities Cabinet, including but not limited to the administration,
 27 operation, and supervision of the Perkins program and the authority to receive,

1 hold, and disburse funds awarded under the state plan.

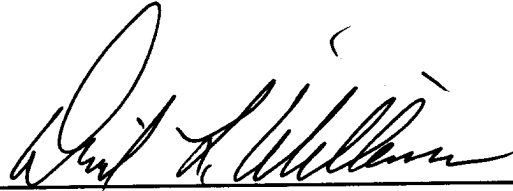
2 (9) The department shall be permitted to enter into memorandums of agreement with
3 individuals on a year to year basis to fill positions in hard-to-find teaching
4 specialties. The agreements and compensation for hard-to-find teaching specialties
5 shall be approved by the commissioner and shall not be subject to the provisions of
6 KRS Chapter 45A. All agreements shall be filed with the secretary of the Finance
7 and Administration Cabinet.

8 (10)~~[(9)]~~ The commissioner of the Department for Technical Education shall, from time
9 to time, prepare or cause to be prepared any bulletins, programs, outlines of courses,
10 placards, and courses of study deemed useful in the promotion of the interests of
11 technical and vocational education.

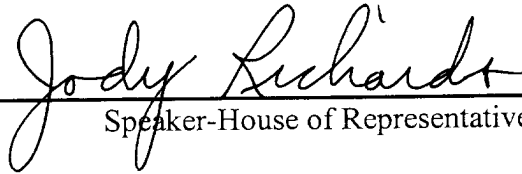
12 (11)~~[(10)]~~ The commissioner of the department shall be responsible for the preparation
13 of a biennial budget request, which shall be forwarded to the secretary of the
14 Cabinet for Workforce Development for review and modification.

15 Section 2. The General Assembly confirms the Governor's Executive Order 2005-
16 327 dated April 6, 2005.

17 Section 3. In order to reflect the reorganization effectuated by this Act, the reviser
18 of statutes shall replace references in the Kentucky Revised Statutes to the agencies,
19 subagencies, and officers affected by this Act with references to the appropriate successor
20 agencies, subagencies, and officers. The reviser of statutes shall base these actions on the
21 functions assigned to the new entities and may consult with officers of the affected
22 agencies to accomplish this purpose.

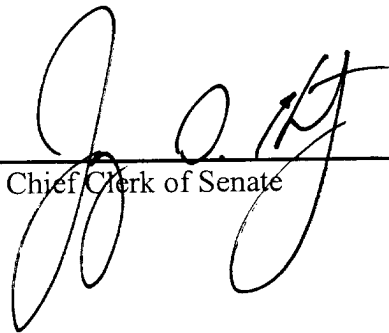


President of the Senate



Speaker-House of Representatives

Attest:



Chief Clerk of Senate

Approved



Governor

Date

4/5/06